

## UNITED STATES DISTRICT COURT

for the

Northern District of Alabama

United States of America )

v. )

Jose Arevalo-Carballo ) Case No.

also known as ) Mag. No. 25-75

Jose Santa Ana Arevalo-Carballo )

Jose Santana Calbollo )

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Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 23, 2025 in the county of Jefferson in the  
Northern District of Alabama, the defendant(s) violated:*Code Section*

8 U.S.C. § 1326(a)

*Offense Description*

Illegal Re-entry after Deportation/Removal

This criminal complaint is based on these facts:

See attached Affidavit from HSI ICE Deportation Officer Ben Rogers, which is attached hereto and fully incorporated herein.

☐ Continued on the attached sheet.*Benjamin Rogers*

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Complainant's signature

Ben Rogers, ICE Deportation Officer

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Printed name and title


Sworn to before me and signed in my presence.

Date: **Feb 3, 2025**

Birmingham, Alabama

City and state: 

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Judge's signature

Hon. John H. England, III, U.S. Magistrate Judge

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Printed name and title

## **AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Ben Rogers, being duly sworn, depose and say:

1. I am a duly sworn Deportation Officer with the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), Fugitive Operations Team in Birmingham, Alabama. I have been employed as a federal agent for over 15 years. One of my principal assignments has been to conduct criminal investigations of persons involved in violation of the United States Code relating to Title 8 – Aliens and Nationality.

2. I submit this affidavit in support of a criminal complaint based on information known to me personally and information I have learned from other members of law enforcement and/or lay witnesses. This affidavit does not contain all information that I know regarding this matter

3. On January 23, 2025, ICE ERO Birmingham was notified by the Jefferson County Sheriff's Department in Bessemer, Alabama that a person had been arrested for Receiving Stolen Property in the First Degree and was a foreign-born person. This man was using the name Jose Santana Calbollo. The ICE ERO duty agent ran various immigration and criminal database checks on the individual. The person in question at the Jefferson County Jail in Bessemer, Alabama was confirmed to be Jose AREVALO-Carballo (AREVALO). After making this confirmation, the ICE ERO duty

agent placed an I-247 Immigration Detainer on AREVALO at the Jefferson County Jail in Bessemer, Alabama.

4. AREVALO's fingerprints were submitted to the ICE IDENT (Automated Biometric Identification System) system, and the system verified that the person being fingerprinted was a citizen of El Salvador and that he was previously removed from the United States under the name Jose AREVALO-Carballo.

5. ICE records positively associated AREVALO with an alien registration file and FBI number. Biometric record checks provided a criminal history for AREVALO.

6. Immigration Form I-205, Warrant of Removal / Deportation, is the standard form utilized by DHS to document the physical removal of an unlawfully present alien from the United States to his or her native country. The front page of an I-205 shows the order, signed by the designated immigration official, authorizing any immigration officer of the United States Department of Homeland Security to physically deport the subject alien from the United States. The second page of an I-205 contains specific information that the I-205 was executed, recording the port (location), date, and manner of removal by placing the photograph, right index fingerprint, and signature of the alien. There is one executed I-205 in AREVALO's

Alien File, which shows that he was removed from the United States to El Salvador on November 5, 2014. There is also an unexecuted I-205 in AREVALO's Alien File, as well as an Immigration Form I-216, Record of Persons Transferred, which collectively show that he was removed from the United States to El Salvador on January 20, 2023.

7. Additionally, there is one executed Immigration Form I-296, Notice to Alien Ordered Removed/Departure Verification, in AREVALO's Alien File, which shows that he was removed from the United States to El Salvador on November 20, 2012.

8. The defendant's Alien File does not have any documentation showing that he has applied for or received permission from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, for admission to the United States following any of his prior removals. Further, there is no evidence in any automated system that an application was made or approved. Had the defendant made such an application, that fact would be stated in his official Alien File.

9. I have no reason to believe that AREVALO was in the Northern District of Alabama involuntarily when he was arrested on January 23, 2025.

10. Based on the above facts, the affiant believes that there is probable cause to establish that Jose AREVALO-Carballo, also known as

Jose Santa Ana Arevalo-Carballo and Jose Santana Calbollo, has violated 8  
U.S.C. § 1326(a).

*Benjamin Rogers*

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Ben Rogers, Affiant  
U.S. Department of Homeland Security  
Immigration and Customs Enforcement

Sworn to telephonically and subscribed virtually on the 3rd day of February  
2025.



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John H. England, III  
United States Magistrate Judge